

OPINION 1252

STERNA CERULEA BENNETT, 1840 (AVES): CONSERVED

RULING.—(1) Under the plenary powers the specific name *australis* Gmelin, 1789, as published in the binomen *Sterna australis*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The specific name *cerulea* Bennett, 1840, as published in the binomen *Sterna cerulea*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2860.

(3) The specific name *australis* Gmelin, 1789, as published in the binomen *Sterna australis*, and as suppressed under the plenary powers in (1) above, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 1120.

HISTORY OF THE CASE Z.N.(S.)2233

An application for the conservation of *Sterna cerulea* Bennett, 1840, was first received on 29 September 1977 from Mr D. T. Holyoak (Department of Geography, University of Reading, U.K.) on behalf of himself, Dr Murray D. Bruce (Turramurra, N.S.W., Australia) and Monsieur J.-C. Thibault (13 rue Daubenton, 75005 Paris, France). It was sent to the printer on 16 February 1978 and published on 1 February 1979 in *Bull. zool. Nom.* vol. 35, pp. 187–188. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the statutory serials, to eight general serials and nine ornithological serials. The application was supported by the Standing Committee on Ornithological Nomenclature of the International Ornithological Congress (Dr Eugene Eisenmann, Chairman).

DECISION OF THE COMMISSION

On 22 November 1982 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (1982)25 for or against the proposals set out in *Bull. zool. Nom.* vol. 35, p. 188. At the close of the voting period on 22 February 1983, the state of the voting was as follows:

Affirmative Votes—twenty-two (22) received in the following order: Melville, Holthuis, Brinck, Savage, Uéno, Mroczkowski, Willink, Sabrosky, Corliss, Halvorsen, Schuster, Kraus, Alvarado, Trjapitzin, Hahn, Cocks, Starobogatov, Bayer, Heppell, Cogger, Dupuis, Ride

Negative Votes—none (0).

Welch returned a late affirmative vote. Bernardi was on leave of absence. No votes were returned by Binder and Lehtinen.

Dupuis enquired: 'What happens "if the Grey Noddy were found to consist of several sibling species" (*Bull. zool. Nom.* vol. 35, p. 188)?' [In that event, the Law of Priority would apply to the names involved, of which *Sterna cerulea* Bennett, 1840 is now presumably the senior. R.V.M.]

ORIGINAL REFERENCES

The following are the original references to the names placed on an Official List and an Official Index by the ruling given in the present Opinion:

australis, *Sterna*, Gmelin, 1789, *Syst. Nat.* ed. 13, vol. 1(2), p. 608
cerulea, *Sterna*, Bennett, 1840, *Narrative Whaling Voyage*, vol. 2, p. 248.

CERTIFICATE

I hereby certify that the votes cast on V.P.(82)25 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1252.

R. V. MELVILLE

Secretary

International Commission on Zoological Nomenclature

London

7 April 1983